

### **III. REMARKS**

Claims 1-16 are pending in this application. Claims 17-30 are canceled. By this response, claims 1, 4-7 have been amended and claims 2 and 3 have been canceled. Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Furthermore, Applicant reserves the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-9 and 12-16 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Tsuchiya et al. (U.S. Pat. No. 6,530,968), hereinafter “Tsuchiya.” In response, Applicant submits that the Office fails to show that Tsuchiya discloses each and every feature of the claimed invention. For example, with respect to amended claim 1, the Office fails to show that Tsuchiya discloses, *inter alia*, “...wherein the cationic surfactant includes a chemical structure selected from the group consisting of: a)  $[CH_3(CH_2)_xN(R)]M$ , wherein M is selected from the group consisting of: Cl, Br and I, x equals an integer between 2 and 24, and the R includes three carbon-based functional groups, each having less than eight carbon atoms; and b)  $C_pH_qQN$ , where Q is selected from the group consisting of: Cl, Br and I, and  $p > 8$  and  $q > 20$ .”

The language added to claim 1 in this Amendment was previously found in dependent claims 2 and 3. In support of its rejection with respect to these claims, the Office asserts that “Tsuchiya discloses the additive to form the ‘polishing inhibiting layer’ include(ing) one of: an anionic surfactant (e.g. sodium (salt) sulfate and dodecyl sulfates) and a cationic surfactant (e.g.

CTAB and cetylpyridinium chloride). Thus, Tsuchiya discloses all the formulaic limitations relating to anionic and cationic surfactants as claimed in claims 3-6.” Office Action, p. 4. Applicant respectfully disagrees that Tsuchiya discloses, *inter alia*, all the formulaic limitations relating to cationic surfactants, as recited by claim 1 (previously recited by claim 3). Applicant submits that Tsuchiya discloses, generally, a number of cationic surfactants. However, Tsuchiya fails to disclose the specific formulaic limitation(s) recited by amended claim 1. Accordingly, Applicant submits that Tsuchiya fails to disclose each and every element of claim 1.

In the Office Action, claims 10-11 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Tsuchiya. Applicant herein incorporates the arguments presented above with respect to the corresponding independent claims, from which claims 10-11 depend. The dependent claims are believed to be allowable based on the above arguments, as well as for their own.

With regard to the Office’s other arguments regarding dependent claims, Applicant herein incorporates the arguments presented above with respect to independent claims listed above. In addition, Applicant submits that all defendant claims are allowable based on their own distinct features. However, for brevity, Applicant will forego addressing each of these rejections individually, but reserves the right to do so should it become necessary. Accordingly, Applicant respectfully requests that the Office withdraw its rejection.

#### **IV. CONCLUSION**

Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office’s

interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicant does not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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